

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ALEXANDER SITTENFELD,  
a/k/a "P.G. Sittenfeld,"

Defendant.

Case No.: 1-20-cr-142

Hon. Douglas R. Cole

DEFENDANT'S THIRD  
MOTION TO EXTEND  
TIME TO FILE POST-TRIAL  
MOTIONS

Defendant Alexander "P.G." Sittenfeld moves this Court pursuant to Federal Rule of Criminal Procedure 45(b) for additional time to file post-trial motions including, but not limited to, those under Federal Rules of Criminal Procedure 29 and 33. A memorandum in support follows.

/s/ Charles M. Rittgers

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*Counsel for the Defendant*

Date: August 15, 2022

**Memorandum in Support**

“When an act must or may be done within a specified period, the court on its own may extend the time, or for good cause may do so on a party's motion made.” Fed. R. Crim. P. 45(b).

Mr. Sittenfeld third extension of time is based on the following reasons: (1) lack of complete trial transcripts that are necessary to properly prepare his post-trial motions; and (2) in response to this Court’s denial to allow Mr. Sittenfeld’s expert to conduct a forensic exam of Juror X’s mobile phone, Mr. Sittenfeld has filed a Mandamus for Leave to Conduct Forensic Exam in the Sixth Circuit Court of Appeals, and Mr. Sittenfeld cannot properly prepare his post-trial motions without a resolution on the juror misconduct issues before this Court. Moreover, while Mr. Sittenfeld has portions of the trial transcript, based on conversations with the court reporter, a complete trial transcript cannot be completed for at least 30 additional days after the court reporter returns from vacation. Mr. Sittenfeld’s request is not intended to cause an unnecessary delay in proceedings.

As a result, Mr. Sittenfeld respectfully requests that this Court extend the deadline to file post-trial motions an additional 5 weeks, until September 23, 2022, to allow the court reporter to complete the trial transcript, counsel for Mr. Sittenfeld to review and include citations to the trial transcript, and to receive a ruling from the Sixth Circuit on Mr. Sittenfeld’s Mandamus filing.

Alternatively, Mr. Sittenfeld requests that the Court impose a new deadline for post-trial motions of one week after the court reporter completes her transcriptions in this matter, or a status conference with the Court to discuss modifications to the deadlines and briefing schedule for post-trial motions.

Respectfully submitted,

RITTGERS & RITTGERS

s/ Charles M. Rittgers

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**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing was filed with the Court's CM/ECF System provided to on this 15<sup>th</sup> day of August, 2022, which provides electronic notice to all parties. I further certify that the foregoing was emailed to the Court in Word format pursuant to the Court's Standing Order, subsection N.

/s/ Charles M. Rittgers

Charles M. Rittgers

*Counsel for the Defendant*